

DAUGHTER FILES NEW ACTION IN BROWN WILL CASE

Wants Alleged Secret Agreement Giving Irene Dickson \$300 Monthly Set Aside

To have declared void what she alleged was a "secret agreement" whereby Miss Irene K. Dickson was being paid \$300 a month from the estate of the late Cecil Brown, instead of \$150 a month as provided in the will, Mrs. Mary Kaniu Jarrett, wife of Representative James Jarrett and a daughter of Mr. Brown, has filed in circuit court a document entitled "action to enforce a trust, for injunction and other equitable relief," naming Heinrich M. von Holt, trustee and executor, and Miss Dickson as respondents.

The suit has the appearance of a new angle to the litigation which was begun when Miss Dickson sought to contest the will of Cecil Brown on the ground he was unable, mentally and otherwise, to execute it. This litigation was closed after a compromise was effected, but the grounds of the compromise were never made public.

According to the petition filed, Mr. Brown, on May 11, 1914, made a will bequeathing Mrs. Jarrett, under the name of Mary K. Brown, a life interest in his estate of \$100 a month. This will was duly admitted to probate and Mr. von Holt was appointed executor. It is also alleged that under the same will Miss Dickson was given a life interest of \$150 a month. By the terms of the will Mr. von Holt was made trustee of the entire corpus of the estate for the payment of the legacies, and was to hold the estate in trust during the life of Miss Dickson and Mrs. Jarrett.

Prior to the probate of the will, on March 16, 1917, Mrs. Jarrett's complaint continues, Mr. von Holt communicated with the petitioner and informed her that the estate was free from debt and that there were sufficient assets to pay \$100 a month to her and \$150 a month to Miss Dickson. "Secret Agreement"

Mrs. Jarrett's complaint then alleges that Mr. von Holt entered into a "secret agreement" with Miss Dickson whereby he, as executor and trustee "has paid to the said Miss Irene K. Dickson a large sum of money from the corpus of said estate" and that he has increased the monthly amount due Miss Dickson from \$150 to \$300 a month. It is also alleged that Mr. von Holt has set aside a certain portion of the corpus of the estate as security for the purported monthly payment of \$300.

Petitioner further alleges that the trustee has failed to pay her \$100 a month or any other sum whatever under the trust "unless your petitioner releases said estate and accepts certain securities as a guarantee of the payment of \$100 per month, which release your petitioner has refused and still refuses to execute."

Mrs. Jarrett alleges that she has been unable to obtain from Mr. von Holt an accounting or report as to the assets of the trust, although she has repeatedly demanded it.

Concluding her petition, Mrs. Jarrett asks that Mr. von Holt be ordered to pay her all money due her from the estate since the death of Cecil Brown, and that he be enjoined from in any way "dissipating" the estate "by making any payments to Miss Irene K. Dickson other than provided in the will." She also asks that the alleged "secret agreement" between the trustee and Miss Dickson be declared null and void, and that the trustee pay back to the estate all the money he may have paid to Miss Dickson other than provided in the will.

The law firm of Andrews & Pittman represents the petitioner.

19 WILL JOIN LOCAL SHRINE

Nineteen novitiates will tread the hot sands tomorrow on their journey to the temple of mystery in upper Fort street where, after the performance of certain ancient and honored rites, they will become full-fledged Shriners.

Just what the Shriners intend to do with the novitiates tomorrow could not be learned today, but one member of the order remarked today that interested Honoluluans will do well to be on the street tomorrow afternoon any time after 1 o'clock.

At 1 o'clock the members of the Shrine will meet at the temple at Alakea and Hotel streets, from where they will escort the unlucky candidates to the skating rink, Fort street. The ceremonies will end with a banquet at the Moana hotel at 8 o'clock tomorrow evening.

The candidates are as follows: J. Brooks Brown, Alfred Warner Eames, Captain Melvin R. Ginn, Alfred M. Simpson, Lewis H. Underwood, Captain Ernest W. Ely, James F. Berry Jr., Frederick Barrett, Archie E. Lester, A. A. Hartman, Dr. L. L. Patterson, C. C. Clabough, Harry Halpern, A. S. Randall, W. B. McKee, J. H. Grainger, C. G. Heiser Jr., E. Todd, and E. R. Cameron.

EXHIBITION NEW GOWNS AND HATS

Smart new fall and winter gowns, hats are now on display at the establishment of the Jeff's Fashion Co., Inc., Fort and Beretania streets. All selected especially for the women of Honolulu, and they exemplify the very latest fashions in color, style and cut. Those new trimmed hats are decided smart—well worth your inspection. Prices are moderate.—Adv.

CLASSIFICATION OF REGISTRANTS HERE IS ORDERED

(Continued from page 1)

and completion of this organization. There is no change in the constitution of the local and district boards except that we must provide for an adequate clerical force since an essential principle of the new system is that the mechanical processes of selection can all be accomplished by clerical assistance, leaving to the boards only the task of drawing conclusions from evidence automatically presented in the most concrete manner possible. On this subject I shall address you again within a day or two.

"One of the most fruitful sources of difficulty in the first draft just passed was the mistakes of registrants arising from their lack of knowledge of their rights and duties under the law. This presented a rather perplexing situation. The procedure before selection boards must not be regarded as controversial. It is an original inquiry by the government in a classification for the sole benefit of the nation. It is unseemly and wholly improper for lawyers to appear before local and district boards as advocates. Yet it is advised that registrants should be advised of their rights and duties and a method must be provided for this end.

"The new regulations provide for the erection of legal advisory boards in each community in sufficient numbers adequately to serve all the local boards in the community and to insure that there will always be one of these boards convenient to any registrant who is required to submit a questionnaire. For this purpose it will be necessary for you to make a canvass of the situation in your territory and to determine the number and location of these boards, and then to create an organization for the state which will absorb all members of the legal profession and assign to each a definite place and duty in the winning of this war. To this end regulations provide that the governor shall nominate to the president three members for each of such boards, which membership shall constitute a sort of nucleus board around which can be grouped all the lawyers in the district served by the board.

"We have not yet given the legal profession a definite place in the organized ranks of the nation, and what is here proposed offers a chance that should be welcomed enthusiastically by every lawyer in particular and by the whole legal profession. The most direct and practical way to insure having a responsible and effective central unit in each community would be to include in the permanent membership of each legal advisory board, as executive head thereof, the county judge or a judge of a court of similar jurisdiction, and by this means to provide a powerful stimulus to the efforts of the younger men of the profession.

"Especially appeal will be made to every member of the legal profession to give his services to this work, and it is proposed that the permanent board shall maintain a sort of roster of officers so that there will always be present at the office of the board a force of competent legal advisors to whom registrants may apply for advice on any matter concerning their rights under the selective service law. "No more important post could be offered a lawyer at this time than the active duty of assisting in the raising of our armies, and in this way can be provided a very necessary auxiliary of the selective service system without making any demand on the time of any lawyer to which any patriotic citizen would hesitate to respond. During the period of classification the duties of these boards will be rather heavy, but after that period I hardly think that much will remain for them to do.

"This organization should proceed with the greatest possible expedition, since it must be complete before the process of selection starts, and I trust that you will be able to forward me your list of nominations within the next ten days.

Physical Examinations

"The methods of physical examinations have heretofore not been satisfactory. The new regulations address themselves to this fault and provide a very systematic method for removing it. A preliminary examination is to be made by an examining physician of the local board, and those who obviously physically disqualified will be eliminated from the lists, but before the local board arrives at a decision as to the physical qualification of any registrant about whose qualifications there is any doubt, the physical examination is to be conducted by experts in the most exhaustive manner possible. To this end the new regulations provide for the erection of medical advisory boards throughout the states in such number and serving such districts as may be dictated by hospital and railroad communications and by the very important consideration of reducing to a minimum the cost to the nation that will be incurred by the necessity of sending registrants before such boards for examination.

"This is a matter which requires the active cooperation and material support of members of the medical profession. The American Medical Association and the medical section of the Council of National Defense have both offered their services and cooperation in carrying forward this plan."

BUYS PLANTATION

(By Associated Press) MEXICO CITY.—It is reported here that Cipriano Castro former dictator of Venezuela has bought a sugar plantation in the state of Vera Cruz and shortly will come to Mexico to live.

MURINE Granulated Eyelids. Sore Eyes, Eyes Inflamed by Sun, Dust and Wind quickly relieved by Murine. Try it in your Eyes and in Baby's Eyes. Murine Eye Remedy At Your Druggist's or by Mail, 50¢ per bottle. Murine Eye Remedy, in Tubes 50¢. For Sale at the Drug Store. Ask Murine Eye Remedy Co., Chicago.

LOCAL AND GENERAL

Falling from a tree, from which he was cutting limbs, Roque Salamat, a laborer, was painfully injured this morning. Salamat, who was working near Anapuni and Wilder streets, was taken to the emergency hospital. He was not seriously injured.

The band will play this evening for the Honolulu chamber of commerce banquet to the congressional party at the Moana hotel. On Saturday afternoon it will play for Shriners' parade and on Sunday afternoon as usual at Kapiolani park at 3 o'clock.

Major H. S. Dobney of London, who is at present in the city, on his way to the Orient, will speak at 7:30 tomorrow night at the Salvation Army hall, 69 Beretania street. Major Dobney comes from the London international headquarters of the Salvation Army and is on an inspection tour.

GIRL CARRYING BABY STRUCK BY BICYCLE

Abby Moy, a ten-year-old Hawaiian girl, carrying in her arms a seven-months-old baby, was struck down yesterday afternoon by a bicycle ridden by Chong Chock, aged 16 years. The girl and the baby were not badly injured, but the bicycle rider was turned over to Probation Officer Joe Leal until the extent of any possible injuries could be ascertained.

The accident occurred on Beretania near River street, as the little girl was crossing the pavement. Occupants of a nearby auto saw her struck down and took her and the baby to the emergency hospital. The baby had a slight contusion of the forehead and Abby had her left leg badly bruised.

CONGRESSIONAL PARTY PROGRAM.

Morning. Visit Bishop Museum. Afternoon. Chamber of Commerce—Surf-riding, boating and swimming at Waikiki.

Guests at Governor Pinkham's home on Prospect street from 3 to 5 p. m. 7 p. m. Chamber of Commerce banquet, Moana hotel.

SATURDAY, NOVEMBER 24. Trip around island of Oahu. Lunch at Haleiwa hotel. Evening. Patriotic meeting at capitol grounds.

SUNDAY, NOVEMBER 25. Church and rest.

MONDAY, NOVEMBER 26. 9 a. m. Leave hotels for trip to Pearl Harbor Naval Station. 10:30 a. m. Visit Pearl Harbor Naval Station.

Afternoon. Japanese Consul—Garden party. Evening. Pan-Pacific Dinner at Laniakae.

TUESDAY, November 27. Morning. Rest. Noon. Ad Club luncheon, Young hotel.

Afternoon. Rest. Evening. Reception by Prince Kahanu at his residence, "Pualei-lani," Waikiki.

WEDNESDAY, NOVEMBER 28. Morning. Depart for mainland.

President Wilson is in favor of the recently created aircraft board visiting Europe.

HIGH SHERIFF'S SALE NOTICE.

Under and by virtue of a Writ of Alias Execution issued by the Honorable Harry Irwin, District Magistrate of Honolulu, City and County of Honolulu, Territory of Hawaii, on the 22nd day of November, A. D. 1917, in the matter of Y. Ahin, Plaintiff, vs. David M. Kupihea, Defendant, for the sum of Two Hundred Twenty-Two and 47/100 Dollars (\$222.47), together with costs, interest and my expenses, I did, on the 23rd of November, A. D. 1917, levy upon and shall offer and expose for sale and sell at Public Auction, to the highest bidder, all of the property hereinafter described and set forth, to satisfy the said Writ of Execution, at the front (mauka) entrance of the Judiciary Building, in said Honolulu at 12 o'clock noon of Monday, the 24th day of December, A. D. 1917, unless the sum due under said Writ of execution together with interest, costs and my fees and expenses are previously paid.

PROPERTY TO BE SOLD: All of the undivided one-half right, title and interest of David M. Kupihea, defendant above named in land in Kalihi, Honolulu aforesaid, described in Grant 669, L. C. A. 2324, and Grant 3184, L. C. A. 926.

Terms of Sale: Cash in United States Gold Coin.

Dated at Honolulu, City and County of Honolulu, Territory of Hawaii, this 23rd day of November, A. D. 1917.

PATRICK GLEASON,

Deputy High Sheriff, Territory of Hawaii.

6951—Nov. 23, Dec. 7, 22.

NOTICE.

A Special Meeting of the British Club will be held on Saturday, November 24, 1917.

BUSINESS. Arrangements for entertainment on Burns' Anniversary.

P. K. McLEAN,

Secretary.

6951—1t

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Guaranteed.

\$1.35 to \$6.00

At all dealers.

M'KAY UPHELD IN DECISION IN CIRCUIT COURT

In a decision handed down this morning Circuit Judge Kemp finds for the defendant in the case of K. Akatsuka against William McKay, district magistrate of Wailuku, Maui. The suit was for the recovery of alleged damages of \$15,000.

It was the contention of the plaintiff that he had pleaded not guilty to a charge which had been brought against him, but that the records of Judge McKay's court had been altered to show that he had entered a plea of guilty. The decision by Judge Kemp is on the ground that Akatsuka had been duly arraigned and that the court could find nothing in the evidence to show that he had not entered a plea of guilty.

Attorneys for Akatsuka have noted exceptions to the decision.

Due to lack of a quorum last night's meeting of the board of supervisors was adjourned because members of the board were unable to get away from Camp Lihoukalani to attend the meeting. The most important business scheduled for last night's meeting was a hearing on the Mission street improvement. This had to be continued until the next meeting which is to be held November 28.

WANTED

TOO LATE TO CLASSIFY

WANTED.

To rent by reliable party a 2 or 3 bedroom cottage, Punahoa district preferred. Telephone 3990 or P. O. Box 17, Honolulu. 6951—1t

SITUATION WANTED.

Chinese boy wishes position as chauffeur in private family, office work, or light truck deliver. 6951—3t

FOR SALE.

AUTOMOBILES.

Studebaker Six Coupe, 1916 model, perfect condition, also household goods and plants, leaving for coast. Lt. Col. Gentry, Fort Shafter. 6951—2t

MOTORBOAT.

A Brennan motor for a motorboat or sampan, 4 cylinders, 45 h. p. in Al condition, can be seen at Gomes' Express office. For price, etc., apply P. O. Box 17, Honolulu. 6951—1t

FOR RENT.

FURNISHED ROOMS.

Nicely furnished rooms for girls or couple. Housekeeping privileges if desired. Apply Royal Grove, Waikiki, 2396 Prince Edward street. 6951—1t

Large front room, with running water, mosquito proof lanai, private bath, with board. Apply The Roselawn, 1366 S. King street. 6951—6t

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Chiropractic removes the cause!

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GRAND MOOSE RALLY and BALL

at the NATIONAL GUARD ARMORY, SATURDAY EVENING, DEC. 1 given under the auspices of: Schofield Lodge, No. 1060, and Honolulu Lodge No. 800, Loyal Order of Moose, for the benefit of the Red Cross Fund. Tickets—Gentlemen, 75c. Ladies Free

Damen. Council, Young Men's In-business followed by social for which stitute meets this evening for regular a fine program has been arranged.

LAST TWO DAYS OF OUR Great Reduction Sale

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Japanese Fabrics and Curios.

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FORT STREET NEAR BERETANIA.

Lewers & Cooke, Ltd.

Announce the return of M. B. Mihran, the well-known art collector.

This time he brings a wonderful selection of Varied Art Works, comprising Rare Persian and Chinese Rugs and Carpets, Italian Carara and Castelano, Marble Statues, Pedestals and Lamps, Navajo Indian Rugs, and valuable Paintings, by famous masters—which will be on view and for sale at our art rooms, 2nd Floor, commencing Tuesday, Nov. 27.

All art lovers in the Hawaiian Islands are cordially invited to view the exhibition.

Mr. Mihran has made a stupendous effort to gather and bring this most interesting collection, culled from almost exhausted sources.

To see it is an opportunity not to be neglected.

Lewers & Cooke, Ltd.
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